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REMARKS

Claims 1, 3, 5, 7, and 8 have been amended to clarify that the computer recited in each of those claims is the receiving computer that is associated with the parking system and that contains the parking system user data. Claim 1 has also been amended to clarify that the parking zone identity and the vehicle-specific code are stored in the receiving computer when parking is commenced by a parking system user. As a result, each time a different parking system user enters the parking system and logs in, the receiving computer is updated with the new information relating to the entering user, to provide in the receiving computer at all times complete and current information.

Claims 1, 2, and 3 through 8 were rejected as obvious based upon the combination of the Ilén and Cornelison references. The Ilén reference was construed as disclosing the basic method as claimed, except that it did not disclose voice communications. The Cornelison reference was said to teach voice communications and in combination with the Ilén reference rendered the claimed invention obvious to one of ordinary skill in the art.

In addition to the examiner's acknowledgment of the absence of any teaching in the Ilén reference of voice communication, that reference specifically teaches a parking system arrangement in which a sticker having a vehicle code is placed on the windshield and is read by a read head of a control device carried by a parking attendant. The sticker has a bar code or some other control-device-readable identification means. The bar code or other identification means is read and the information is transmitted as data to a parking fee register.

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which then sends an SMS message to the control unit. Thus the communications between the various components of the Ilén arrangement are all either data transmissions or text messages, not two-directional voice messages. The attendant must both operate the read head of the control unit, to read the windshield sticker, and also to read on the control unit display the information supplied in SMS form from the parking system register. The Ilén reference is therefore significantly different from the present invention as claimed.

With respect to the Cornelison reference, a base station computer of a parking violation enforcement system is arranged to communicate with several stand-alone computers, each of which is assigned to a parking enforcement officer (see Cornelison, col. 2, line 15). The base station computer contains a database of previous unpaid parking violations. The enforcement officer communicates with the stand-alone computer, not with the base station computer. Information in the stand-alone computer with which the enforcement officer communicates is not up to date – it only includes the information that was contained in and transferred from the base station computer to the stand-alone computer by a disk at the start of a day or at the start of a shift (see Cornelison, col. 2, line 67 through col. 3, line 2). Consequently, the enforcement officer does not have available to him the information relating to unpaid violations that occurred and that were added to the base station computer database at a time after the start of his day or after the start of his shift.

As claimed in claim 1, the present invention differs from that disclosed in the Cornelison reference in that the attendant communicates directly

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by voice communication with the parking system receiving computer, not through an intermediate, stand-alone computer. He also has available to him through direct communication with the parking system receiving computer up-to-date information identifying all parking system users who have logged in before his communication, because in the claimed invention the storage of parking information in the receiving computer takes place whenever parking is commenced by a parking system user. And the attendant, by direct two-way voice communication with the receiving computer, can immediately determine whether a particular vehicle has properly commenced a parking period, even if that vehicle entered the parking system after the start of a day or after the start of a shift. The system disclosed in the Cornelison reference does not provide such up-to-date information and is therefore significantly different from the claimed invention.

In addition to the references individually not showing or suggesting the invention as claimed in claim 1, the references contain no suggestion or motivation for one to combine them as the examiner has done. It is not enough that disclosures could theoretically be combined in some way. The mere fact of possible combination does not make obvious the combination of particular elements of the references. In that regard, all inventions are combinations of old elements. But to be properly combinable the references must suggest the claimed combination itself, not merely disclose individual elements or components that make up the combination, because it is the specific combination of particular elements in a particular way, and not the mere existence of those elements, that

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must suggest the invention.

As noted above, neither of the references relied upon by the examiner teaches the invention as herein claimed, and each of the references relates to a different system and method than that to which the present claims are directed. Moreover, the references do not contain any hint as to just how they could be combined to arrive at the present invention as claimed. In that regard, it is not apparent from the references which features of which reference are to be combined with which features of the other reference, and which features of which reference are to be discarded to arrive at a particular combination of features. Accordingly, the only motivation for combining the references in the manner the examiner has done is the disclosure of the present application.

To use as a road map or as a template an inventor's disclosure to aid in picking and choosing particular parts of particular references that allegedly can be combined, in order to render obvious that which only the inventor has taught, is an improper basis for rejection. The conclusion of obvious to combine in this case is based upon no more than conclusory statements of generalized advantages and mere assumptions as to what an ordinarily skilled person would or would not do. It is not based upon teachings or suggestions in the references themselves. Thus, the invention as claimed in claim 1 is directed to an invention that is not obvious to one of ordinary skill in the art based upon the disclosures contained in the references relied upon.

Claims 2 and 4 through 8 each depend from claim 1, either directly or indirectly, and therefore the same distinctions as are noted above in

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connection with claim 1 apply with equal effect to those dependent claims. Further, the dependent claims contain additional recitations that further distinguish the invention as so claimed from the teachings of the references relied upon.

Claim 3 was rejected as obvious based upon the Ilén and Cornelison references in view of the Katz reference. The Katz reference was cited merely for a disclosure of a grace period in connection with vehicle parking. That reference does not disclose voice communications, nor does it cure the deficiencies of the disclosures of the other two references relied upon, nor does it contain any teaching or suggestion that would motivate one to combine the references as the examiner has done to arrive at the method claimed in claim 3. Accordingly, the method as claimed in claim 3 is not obvious to one of ordinary skill in the art based upon the disclosures contained in the references relied upon.

In view of the foregoing amendments and remarks, the claims as they now stand in the application are believed clearly to be in allowable form in that they patentably distinguish over the disclosures contained in the references that were cited and relied upon by the examiner. Consequently, this application is believed now to be in condition for allowance, and reconsideration and reexamination of the application is respectfully requested with a view toward the issuance of a Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be

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quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,



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